

ATTORNEY'S DOCKET NO: M0925.70108US00

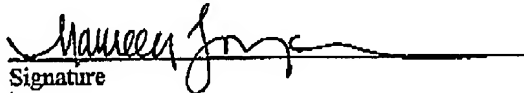
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yet-Ming Chiang et al.  
Serial No.: 10/021,740  
Confirmation No.: 1110  
Filed: October 22, 2001  
For: RETICULATED AND CONTROLLED POROSITY BATTERY  
STRUCTURES  
Examiner: Maples, John S.  
Art Unit: 1745

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 2 day of March, 2004.

  
Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

618193.1

Serial No.: 10/021,740

Art Unit: 1745

C. No.: 1110

The Applicants would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Application No.</u>	<u>Filing Date</u>	<u>Title of Application</u>	<u>Atty. Docket</u>
US 09/284,447	June 24, 1999	Polymer Electrolyte, Intercalation Compounds and Electrodes for Batteries	M0925.70032US00
US 09/686,331	Oct. 11, 2000	Intercalation Compounds and Electrodes for Batteries	M0925.70064US00
US 09/862,916	May 22, 2001	Polymer Electrolyte, Intercalation Compounds and Electrodes for Batteries	M0925.70087US00
US 10/635,240	August 5, 2003	Electromechanical Actuators	M0925.70138US00

Copies of these documents are provided herewith.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

JP 9-147862 relates to an organic electrolyte secondary battery which includes an anode-containing transition metal chalcogenide, and a cathode containing flake-shaped graphitized carbon and spherical carbon.

PART IV: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

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Serial No.: 10/021,740

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C6L No: 1110

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Yet-Ming Chiang et al, Applicants*

By: 

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Dated: March 2, 2004

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FORM PTO-1449/A and B (Modified)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

APPLICATION NO.: 10/021,740

PRIORITY DOCKET NO.: M0925.70108US00

FILING DATE: October 22, 2001

CONFIRMATION NO.: 1110

APPLICANT: Yet-Ming Chiang et al.

GROUP ART UNIT: 1745

EXAMINER: Maples, John S.

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	3,765,943		Biagetti	10-16-1973
	A2	3,864,167		Broadhead et al.	02-04-1975
	A3	4,555,454		Shuster et al.	11-26-1985
	A4	4,615,784		Stewart et al.	10-07-1986
	A5	4,889,777		Akuto	12-26-1989
	A6	5,100,747		Hayashida et al.	03-31-1992
	A7	5,227,267		Goebel et al.	07-13-1993
	A8	5,294,504		Otagawa et al.	03-15-1994
	A9	5,518,833		Repplinger et al.	05-21-1996
	A10	5,527,641		Koshiishi et al.	06-18-1996
	A11	5,654,115		Hasebe et al.	08-05-1997
	A12	5,677,080		Chen	10-14-1997
	A13	5,821,033		Cromack et al.	10-13-1998

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	EP	0 071 119	A2	Diamond Shamrock Corporation	02-09-1983	
	B2	JP	9-147862		Hitachi Maxwell KK	06-06-1997	N

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.

copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier  
ing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).